

Appl. No. 09/931,677
Amdt. Dated August 28, 2006
Reply to Office Action of March 27, 2006

Amendments to the Drawings:

The attached sheet of drawing includes new sheet Figure 4.

Attachment: New Sheet

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REMARKS/ARGUMENTS

Claims 1-11 are pending in the present application.

This Amendment is in response to the Office Action mailed March 27, 2006. In the Office Action, the Examiner indicated that no art rejection would be presented before Applicant replies to the Examiner's proposed claim amendment. Applicant has amended the Specification, claims 1-3, and added a new Figure 4. Applicant submits that no new matter has been introduced. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Examiner's proposed amendment and interview

In response to the Examiner's invitation of contacting the Examiner regarding the Examiner's proposed amendment, Applicant conducted an interview with the Examiner on June 15, 2006 to discuss the proposed amendment and to clarify the invention. In accordance to the Examiner's request, Applicant has amended the Specification and the drawings to clarify the claimed invention. In addition, Applicant has amended claims 1-3 to clarify the claim language.

Specification

In the Office Action, the Examiner contends that the Specification suffers from a complete disclosure by assuming that the details are well known in the art. The Examiner further alleges that although these details are well known in the art, the lack of disclosure can trigger a §112(1) for insufficient support (Office Action, page 4). However, the Examiner has not pointed out what details need to be clarified. A §112, first paragraph, requirement includes three separate and distinct requirements: the written description, the enablement, and the best mode requirements. Apparently, the Examiner relies on the written description requirement in making the allegation.

An objective standard for determining compliance with the written description requirement is, "does the description clearly allow persons of ordinary skill in the art to recognize that he or she invented what is claimed." *In re Gosteli*, 872 F.2d 1008, 1012, 10 USPQ2d 1614, 1618 (Fed. Cir. 1989). Under *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991), to satisfy the written description requirement, an applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date

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sought, he or she was in possession of the invention, and that the invention, in that context, is whatever is now claimed. The test for sufficiency of support in a parent application is whether the disclosure of the application relied upon "reasonably conveys to the artisan that the inventor had possession at that time of the later claimed subject matter." *Ralston Purina Co. v. Far-Mar-Co., Inc.*, 772 F.2d 1570, 1575, 227 USPQ 177, 179 (Fed. Cir. 1985) (quoting *In re Kaslow*, 707 F.2d 1366, 1375, 217 USPQ 1089, 1096 (Fed. Cir. 1983)).

The Examiner, however, has not proved that the disclosure of the application does not reasonably convey to the artisan that the inventor had possession at that time of the later claimed subject matter.

The Examiner further states that it is not clear (1) whether the customer presents the coupon wallet at a retailer's POS to redeem at least one coupon having this noticeable mark imprinted thereon, or (2) whether the coupon having this noticeable is presented for redemption or (3) the coupon data are electronically transmitted to the retailer's POS database where the coupon wallet is used as a piece of ID to identify the customer during a transaction or redemption process (Office Action, page 4).

As discussed with the Examiner during the Examiner's Interview on June 15, 2006, the claimed invention is a wallet card that is related to a notification indicia on publicly placed coupons or advertisements so that any coupon so marked is redeemable by using only the wallet card rather than the coupon itself (Specification, page 9, lines 16-21). The card has information contained in a magnetic stripe, printed barcode, imbedded circuitry with memory, etc. (Specification, page 9, lines 8-10). The wallet card is scanned or otherwise used to identify the purchaser (Specification, page 10, lines 4-5). The manager alerts the manufacturers and retailers to the benefits of the method of using this card and enlists such manufacturers and retailers as wish to participate (Specification, page 9, lines 12-14). Accordingly, when the consumer presents the card to the retailer, the retailer can provide discount based on the relationship established between the retailer and the management entity (Specification, Figs 1-3).

To clarify the claimed invention, Applicant has amended the Specification to include the description of the wallet card and the use of the wallet card to obtain discount. Applicant has also amended the drawings to include Figure 4.

Accordingly, Applicant believes that claims 1-11 are in condition for allowance.

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Conclusion

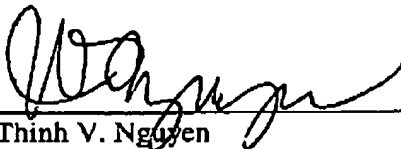
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 28, 2006

By


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Tu Nguyen

August 28, 2006

Date